

IN THE MATTER OF EXCHANGE)
)
 APPLICATION NUMBER E3202 (35-9700))

Exchange Application Number E3202 (35-9700), in the name of Carolyn M. Froerer, was filed on December 7, 1993, to exchange 1.0 acre-feet of water as evidenced by U.S. Bureau of Reclamation and Contract with Weber Basin Water Conservancy District under 35-7395 (A10989) and 35-827 (A27608). The 1.0 acre-feet of water is to be released into Ogden River and, in lieu thereof, 1.0 acre-feet of water will be diverted from a eight inch well, 100 feet to 400 feet deep, located South 650 feet and West 1260 feet from the N¼ Corner of Section 20, T 6N, R 2E, SLB&M, and used for the irrigation of 0.18 acre and the domestic purposes of one family.

It appears that this exchange can be made provided certain precautions are observed.


- 1) The basis for this exchange right is a contract between the applicant and Weber Basin Water Conservancy District. This contract must be maintained for this exchange to remain valid. No water may be withdrawn from the well if a contract is not in effect.
- 2) Total diversion under this exchange application for all uses applied for is limited to 1.0 acre-feet of water per year. These uses are limited to the irrigation of 0.18 acre and the domestic purposes of one family. For the purpose of regulating this exchange, the applicant shall install a permanent totalizing meter to measure withdrawals from the Underground Water Well, which meter(s) shall be available for inspection by the commissioner of the Weber River at any reasonable time.
- 3) The water being exchanged shall be released from Pineview Reservoir into Ogden River as called for by the river commissioner.

This Decision is subject to the provisions of Rule R655-6-17 of the Division of Water Rights and to Sections 63-46b-13 and 73-3-14 of the Utah Code Annotated, 1953, which provide for filing either a Request for Reconsideration with the State Engineer or an appeal with the appropriate District Court. A Request for Reconsideration must be filed with the State Engineer within 20

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days of the date of this Decision. However, a Request for Reconsideration is not a prerequisite to filing a court appeal. A court appeal must be filed within 30 days after the date of this Decision, or if a Request for Reconsideration has been filed, within 30 days after the date the Request for Reconsideration is denied. A Request for Reconsideration is considered denied when no action is taken 20 days after the Request is filed.

Dated this 15th day of April, 1994.


Robert L. Morgan, P.E., State Engineer


RLM:LFQ:mw

Mailed a copy of the foregoing Memorandum Decision this 15th day of April, 1994, to:

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Ogden, UT 84403

Weber Basin Water Conservancy District
2837 East Highway 193
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BY: 
MaClovia White, Secretary